

REMARKS

Rejections Under 35 USC § 112

Claim 30 was amended and claim 32 cancelled whereby the rejections are moot.

Withdrawn Claims

Claim 52 is cancelled.

Claims 53-56 are withdrawn.

Applicants request the reconsideration of the withdrawal of claims 53-56. Applicants submit that it would not pose an undue burden on the PTO to search the withdrawn claims and that they are properly grouped with the allowed claims, from which they depend.

All the withdrawn claims are directed to products comprising the allowed product, i.e., the molded element according to claim 30. Thus, the withdrawn claims should also be readily be allowed. Products comprising a patentable product should also be readily patentable as well for at least the same reasons as the patentable product was found patentable. No further or maybe only a minimal search effort would be necessary to allow these withdrawn product claims.

Furthermore, the products of the withdrawn claims are combinations of the product of claim 30 and other components. As such, it is respectfully submitted that the product of claim 30 and the other components are related as subcombination-combination. Since they are related as combination-subcombination, the standard for requiring restriction herein is not met. M.P.E.P. §806.05(c) states that

In order to establish that combination and subcombination inventions are distinct, two-way distinctness must be demonstrated. To support a requirement for restriction, both two-way distinctness and reasons for insisting on restriction are necessary, i.e. separate classification, status, or field of search. See MPEP §808.02. If it can be shown that a combination, as claimed

(1) does not require the particulars of the subcombination as claimed for patentability (to show novelty and unobviousness),
and

(2) the subcombination can be shown to have utility either by itself or in other and different relations, the inventions are distinct. When these factors cannot be shown, such inventions are not distinct.

It is submitted that the first requirement for two-way distinctness is not established herein. The combination does require the particulars of the subcombination. All the products of the

withdrawn claims require the presence of the allowed product of claim 30. The combination claims are dependent upon the subcombination-product claims and the subcombination-products are an essential distinguishing feature of the combination-compositions.

It is respectfully submitted that when the relationship between the claims are properly characterized, there is no basis for restriction of these claims.

Reconsideration of the withdrawal of these claims is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Filed: January 18, 2005

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